

S T A T E O F N E W Y O R K

9219--A

I N A S S E M B L Y

February 7, 2012

Introduced by M. of A. KAVANAGH -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to authorizing police officers to arrest a driver of a motor vehicle in certain circumstances

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 1146 of the vehicle and traffic law is amended by
2 adding a new subdivision (f) to read as follows:
3 (F) NOTWITHSTANDING THE PROVISIONS OF SECTION 140.10 OF THE CRIMINAL
4 PROCEDURE LAW, A POLICE OFFICER MAY, WITHOUT A WARRANT, ARREST A PERSON,
5 IN CASE OF A VIOLATION OF SUBDIVISION (B) OR (C) OF THIS SECTION, IF
6 SUCH VIOLATION IS COUPLED WITH AN ACCIDENT OR COLLISION IN WHICH SUCH
7 PERSON IS INVOLVED, WHICH IN FACT HAS BEEN COMMITTED, THOUGH NOT IN THE
8 POLICE OFFICER'S PRESENCE, WHEN THE OFFICER HAS REASONABLE CAUSE TO
9 BELIEVE THAT THE VIOLATION WAS COMMITTED BY SUCH PERSON.
10 S 2. This act shall take effect on the ninetieth day after it shall
11 have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD14324-02-2